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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of:**

Havenga et al.

**Serial No.:** 09/928,262

**Filed:** August 10, 2001

**For:** GENE DELIVERY VECTORS WITH  
CELL TYPE SPECIFICITY FOR PRIMARY  
HUMAN CHONDROCYTES

**Confirmation No.:** 6584

**Examiner:** B. Whiteman

**Group Art Unit:** 1635

**Attorney Docket No.:** 2578-4509.1US

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CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

May 27, 2003  
Date

Signature

*Betty Vowles*

Betty Vowles

Name (Type/Print)

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 or PTO/SB/08 be considered by the Examiner and made of record. Copies of the listed documents are enclosed pursuant to 37 C.F.R. § 1.98(a). Applicants submit this Supplemental Information Disclosure Statement in response to an objection in the Office Action mailed February 27, 2003. The Examiner objected to Abstracts listed under Other Documents and requested that copies of those references be provided. The original Information Disclosure Statement should be considered in

addition to the attached references which are the Abstracts listed under Other Documents on the original Information Disclosure Statement

In accordance with 37 C.F.R. § 1.97(g) and (h), filing of this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). Further, no representation is made by Applicants herein that no other possible material information as defined in 37 C.F.R. § 1.56(b) exists.

Other Documents

ARAI et al., Adenovirus Vector-Mediated Gene Transduction to Chondrocytes: In Vitro Evaluation of Therapeutic Efficacy of Transforming Growth Factor-beta1 and Heat Shock Protein 70 Gene Transduction, Journal of Rheumatology, 1997, pp. 1787-95, Vol. 24, No. 9.

ARAI et al., Control of Delivered Gene Expression in Chondrocytes Using Heat Shock Protein 70B Promoter, Journal of Rheumatology, August 1999, pp. 1769-74, Vol. 26, No. 8.

BARAGI et al., Transplantation of Transduced Chondrocytes Protects Articular Cartilage from Interleukin 1-Induced Extracellular Matrix Degradation, Journal of Clinical Investigation, 1995, pp. 2454-60, Vol. 96, No. 5.

DUPREZ et al., Overexpression of BMP-2 and BMP-4 alters the size and shape of developing skeletal elements in the chick limb, Mechanisms of Development, 1996, pp. 145-57, Vol. 57, No. 2.

SMITH et al., Genetic Enhancement of Matrix Synthesis By Articular Chondrocytes, Arthritis and Rheumatism, May 2000, pp. 1156-64, Vol. 43, No. 5.

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, Applicants hereby identify the following listed copending applications naming a common inventor(s):

Serial No.: 09/928,262

Attorney Docket No.: 2578-4509.1US  
Serial No.: 09/928,262  
Filing Date: 8/10/2001  
Title: GENE DELIVERY VECTORS WITH CELL TYPE  
SPECIFICITY FOR PRIMARY HUMAN CHONDROCYTES

Attorney Docket No.: 2578-4123.1US  
Serial No.: 09/953,280  
Filing Date: 9/14/2001  
Title: CHIMAERIC ADENOVIRUSES

Attorney Docket No.: 2578-5148US  
Serial No.: 10/002,750  
Filing Date: 11/15/2001  
Title: COMPLEMENTING CELL LINES

Attorney Docket No.: 2578-5006.1US  
Serial No.: 10/010,645  
Filing Date: 11/13/2001  
Title: GENE DELIVERY VECTORS WITH CELL TYPE  
SPECIFICITY FOR MESENCHYMAL STEM CELLS

Attorney Docket No.: 2578-3833.6US  
Serial No.: 10/038,271  
Filing Date: 10/23/2001  
Title: PACKAGING SYSTEMS FOR HUMAN RECOMBINANT  
ADENOVIRUS TO BE USED IN GENE THERAPY

Attorney Docket No.: 2578-5226US  
Serial No.: 10/040,949  
Filing Date: 1/7/2002  
Title: INFECTION WITH CHIMAERIC ADENOVIRUSES OF CELLS  
NEGATIVE FOR THE ADENOVIRUS SEROTYPE 5  
COXSACKI ADENOVIRUS RECEPTOR (CAR)

Attorney Docket No.: 2578-5233US  
Serial No.: 10/042,770  
Filing Date: 1/9/2002  
Title: GENE THERAPY FOR ENHANCING AND/OR INDUCING  
ANGIOGENESIS

**Serial No.: 09/928,262**

**Attorney Docket No.: 2578-3833.7US**  
**Serial No.: 10/125,751**  
**Filing Date: 4/18/2002**  
**Title: PACKAGING SYSTEMS FOR HUMAN RECOMBINANT  
ADENOVIRUS TO BE USED IN GENE THERAPY**

**Attorney Docket No.: 2578-3955.1US**  
**Serial No.: 10/136,139**  
**Filing Date: 5/1/2002**  
**Title: MEANS AND METHODS FOR NUCLEIC ACID DELIVERY  
VEHICLE DESIGN AND NUCLEIC ACID TRANSFER**

**Attorney Docket No.: 2578-4615.1US**  
**Serial No.: 10/164,085**  
**Filing Date: 6/4/2002**  
**Title: COMPLEMENTING CELL LINES**

**Attorney Docket No.: 2578-3833.8US**  
**Serial No.: 10/219,414**  
**Filing Date: 8/15/2002**  
**Title: STOCKS OF REPLICATION DEFICIENT ADENOVIRUS**

**Attorney Docket No.: 2578-5233.1US**  
**Serial No.: 10/224,249**  
**Filing Date: 8/19/2002**  
**Title: GENE THERAPY FOR ENHANCING AND/OR INDUCING  
ANGIOGENESIS**

**Attorney Docket No.: 2578-4215.1US**  
**Serial No.: 10/231,735**  
**Filing Date: 8/28/2002**  
**Title: INTERLEUKIN-3 GENE THERAPY FOR CANCER**

**Attorney Docket No.: 2578-4038.2US**  
**Serial No.: 10/234,007**  
**Filing Date: 9/3/2002**  
**Title: RECOMBINANT PROTEIN PRODUCTION IN A HUMAN  
CELL**

**Serial No.:** 09/928,262

**Attorney Docket No.:** 2578-4080.1US  
**Serial No.:** 10/235,175  
**Filing Date:** 9/4/2002  
**Title:** TARGETED DELIVERY THROUGH A CATIONIC AMINO ACID TRANSPORTER

**Attorney Docket No.:** 2578-4615.2US  
**Serial No.:** 10/272,041  
**Filing Date:** 10/15/2002  
**Title:** COMPLEMENTING CELL LINES

**Attorney Docket No.:** 2578-5592US  
**Serial No.:** 10/305,435  
**Filing Date:** 11/25/2002  
**Title:** METHODS AND MEANS FOR ENHANCING SKIN TRANSPLANTATION USING GENE DELIVERY VEHICLES HAVING TROPISM FOR PRIMARY FIBROBLASTS, AS WELL AS OTHER USES THEREOF (PRIMAIRE FIBROBLASTEN)

**Attorney Docket No.:** 2578-5832US  
**Serial No.:** 10/381,088  
**Filing Date:** 3/20/2003  
**Title:** ADENOVIRAL VECTORS PROVIDED WITH A TROPISM FOR DENDRITIC CELLS

**Attorney Docket No.:** 2578-5904US  
**Serial No.:** 10/381,857  
**Filing Date:** 3/26/2003  
**Title:** ADENOVIRAL VECTORS FOR GENE DELIVERY IN SKELETAL MUSCLE CELLS OR MYOBLASTS

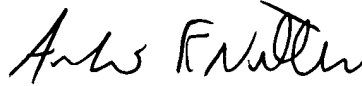
**Attorney Docket No.:** 2578-3840.2US  
**Serial No.:** 10/396,548  
**Filing Date:** 3/25/2003  
**Title:** PACKAGING SYSTEMS FOR HUMAN RECOMBINANT ADENOVIRUS TO BE USED IN GENE THERAPY

**Attorney Docket No.:** 2578-5447US  
**Serial No.:** 60/397,066  
**Filing Date:** 7/18/2002  
**Title:** RECOMBINANT PRODUCTION OF MIXTURES OF ANTIBODIES

Serial No.: 09/928,262

This Supplemental Information Disclosure Statement is filed in response to an objection in the Office Action mailed February 27, 2003. Applicants believe no certification pursuant to 37 C.F.R. § 1.97(c) or a fee pursuant to 37 C.F.R. § 1.17(p) is required.

Respectfully submitted,



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Date: May 27, 2003  
AFN/bv

Enclosures: Form PTO-1449 or PTO/SB/08  
Cited Documents

Document in ProLaw